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Attorneys for Defendant, ERNST & YOUNG LLP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID HO, on behalf of himself and others
similarly situated and on behalf of the
general public and DOES 1-20

Plaintiff,

v.

ERNST & YOUNG, LLP

Defendant.

Case No. CV 05-04867 JF

[Assigned for all purposes to the Honorable
Jeremy Fogel, Department 3]

**STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Oct-05-06 02:18pm From-AKIN, GUMP, STRAUSS, HAUER, FELD

T-068 P.003/005 F-715

1 Plaintiff David Ho and Defendant Ernst & Young LLP, by and through their respective counsel,
2 hereby agree and stipulate as follows:

3 WHEREAS, the parties' case management conference is currently set for hearing on Friday,
4 October 13, 2006, at 10:30 a.m.;

5 WHEREAS, the parties have agreed to participate in a mediation scheduled on November 1,
6 2006, before Retired Judge William Cahill;

7 WHEREAS, both parties intend to make a good faith effort to settle this matter;

8 NOW, THEREFORE, the parties respectfully request that the case management conference
9 currently scheduled for October 13, 2006, be continued to Friday, November 17, 2006 at 10:30 a.m., or
10 such other date and time as is convenient for the Court.

11 Respectfully submitted,

12 Dated: October 5, 2006

AKIN GUMP STRAUSS HAUER & FELD LLP
CATHERINE A. CONWAY
GREGORY W. KNOPI
ADAM SPIEWAK

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15 By

S. Adam Spiewak
Attorneys for Defendant,
ERNST & YOUNG LLP

16
17
18 Dated: October 5, 2006

THIERMAN LAW FIRM
LEON GREENBERG

19
20 By

Leon Greenberg
Attorneys for Plaintiff, DAVID HO

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STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE

CV 05-04867 JF

E-filed 10/11/06

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**[PROPOSED] ORDER CONTINUING
CASE MANAGEMENT CONFERENCE**

1 PURSUANT TO STIPULATION, the case management conference scheduled for October 13,
2 2006, will be continued to November 17 at 10:30 a.m.

3 SO ORDERED.

4 Dated: October 11, 2006

By



The Honorable Jeremy Fogel
JUDGE, UNITED STATES DISTRICT COURT